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Tuesday, 26 February 2013, 10 a.m.
New York

President:	Mr. Kim Sook	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Azerbaijan	Mr. Mehdiyev
	China	Mr. Wang Min
	France	Mr. Briens
	Guatemala	Mr. Rosenthal
	Luxembourg	Ms. Lucas
	Morocco	Mr. Loulichki
	Pakistan	Mr. Masood Khan
	Russian Federation	Mr. Churkin
	Rwanda	Mr. Gasana
	Togo	Mr. M'Beou
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Feltman.

Mr. Feltman: We meet at a moment of heightened risk across multiple fronts in the Middle East. It is already two months into a year that could preserve or even extinguish what hope remains for a two-State solution. I do not believe that it is hyperbole to say that. Yet, as demonstrated today by the troubling rocket attack fired from Gaza into Israel, the temperature between Israelis and Palestinians is again rising, with the situation of Palestinian prisoners the most immediate but not the only cause. There is as yet no process of negotiation to offer hope on the horizon.

Meanwhile, in Syria, even tentative steps towards dialogue are struggling to take root. The destructive military spiral churns more forcefully each day and threatens to pull its neighbours, most notable and worrisome Lebanon, into its vortex. Opportunities exist to reverse those trends but not if the international community sits still. Stepped-up efforts by the Council and its members can make a substantial difference while there is still time to do so.

Turning first to the Middle East peace process, we have all voiced frustration at the failure over many years to break the impasse between Israelis and Palestinians. Yet resignation is not an acceptable option. Relying on the status quo — even if it were sustainable, which we do not believe is the case — would represent a failure on the part of the parties and the international community at the very time when we should seize opportunities to help the parties define and implement a final status agreement. It is now time for all of us to act decisively and with concerted purpose, including through a revitalized and relevant Quartet, but also beyond, if we are to salvage a two-State solution and realize the vision of a State of Palestine and a State of Israel living side by side in peace and security. The United Nations stands ready to support any serious international initiative to that end.

In the aftermath of the Israeli elections on 22 January, international partners have been meeting and discussing how to move decisively towards creating the conditions by which a two-State solution may become reality, and not remain mere rhetoric. The Secretary-General has continued his engagement with both Israeli Prime Minister Netanyahu and Palestinian President Abbas. His recent meetings with European Union High Representative Catherine Ashton in New York and United States Secretary of State John Kerry in Washington, D.C., focused in part on the Middle East. In addition, Mr. Kerry and United States President Obama intend to visit the region next month, and Israeli and Palestinian negotiators have made separate preparatory trips to Washington, D.C. We look forward to this renewed United States engagement.

At a press conference on 19 February, Prime Minister Netanyahu reiterated his commitment to a two-State solution and a peace process that yields results. On the same occasion, he announced the appointment of Tzipi Livni, an experienced interlocutor, to lead negotiations. Palestinian President Abbas has also shown patience in allowing the time necessary to get a new process on track. Both sides must be prepared to embrace their responsibilities in order to engage fully with any credible new initiative and demonstrate goodwill and renewed commitment.

The dire fiscal situation of the Palestinians must be addressed. Fiscal stability is critical to safeguarding the achievements of Palestine's State-building agenda, including important progress that has been made in the Palestinian security services. With regard to the Palestinian Authority's financial situation, the Secretary-General notes with relief the decision by Israel to release Palestinian revenue clearances for January, and reminds the Israeli authorities that full transfer of Palestinian tax and customs revenues in a timely and predictable manner is an obligation that Israel accepted as part of the Paris Protocol, which remains in force. Timely donor contributions are also more important than ever. The meeting next month of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians will be an opportunity to renew the collective commitment

to supporting State-building efforts and promoting Palestinian financial and economic sustainability.

The United Nations continues to follow closely the security, political and human-rights dimensions of the issue of Palestinian prisoners in Israeli custody. On Saturday, we were concerned to learn that a Palestinian man, Arafat Jaradat, died in detention after his arrest by the Israeli Defense Forces (IDF) days earlier. Earlier today, Gaza militants from the Al-Aqsa Martyrs Brigade cited this death in claiming responsibility for a rocket attack on Israel — a most troubling development. The prisoner's death also sparked a series of popular demonstrations and clashes, which, reports indicate, resulted in the IDF injuring 43 Palestinians. Two Israeli soldiers were also injured.

The United Nations underscores the importance of restoring and maintaining calm and calls for an independent and transparent investigation by Israeli authorities into the circumstances of Mr. Jaradat's death, the results of which should be made public as soon as possible. Also of particular concern is the deteriorating health of four prisoners who are on an extended hunger strike. The United Nations remains closely involved on the ground, and the Secretary-General has raised his concerns with Prime Minister Netanyahu, urging that a solution be reached without delay in order to end the prisoners' plight and preserve calm. He also recalled the importance of full adherence by all sides to the agreement of 14 May 2012, including implementation of the prisoners' families' visiting rights. It is the firm position of the United Nations that anyone in administrative detention without charges should be charged and face trial with judicial guarantees, in accordance with international standards, or be promptly released.

Operations by Israeli security forces in the occupied West Bank, including in Area A, have continued at a steady pace. According to reports, since our last briefing (see S/PV.6894), a total of 391 such operations have resulted in 617 Palestinians, including 116 children and 10 women, being injured and 491 being arrested, while nine Israeli soldiers have also been injured. Palestinians detained included two parliamentarians affiliated with Hamas, who were arrested on 4 February. The increased use of live fire by Israeli security forces directed at unarmed Palestinian civilians is of deep concern. On 23 January, a 22-year-old Palestinian woman was killed while walking on her college campus south of Bethlehem. On the same day, a 15-year-old boy was shot dead by soldiers near the Al-Arroub refugee camp.

Settlement activity continued, with Israeli authorities giving final approval for the construction of 90 housing units in the settlement of Beit El. The Secretary-General has repeatedly stressed that settlements are illegal under international law. Israel should heed the calls of the international community to stop such activity. We are also looking into media reports that the Israeli Government authorized drilling to search for oil in the occupied Syrian Golan. Clashes between Palestinians and Israeli settlers in the occupied West Bank resulted in injuries to 10 Palestinians, including two women and two children, while one teenage Israeli settler was injured by a Palestinian on 29 January. We deplore attacks committed as part of so-called price tag violence, which included the desecration of 10 Muslim tombstones in the Mamilla cemetery in West Jerusalem on 14 February.

Since my last briefing, Israeli security forces have demolished 30 structures in the occupied West Bank, resulting in the displacement of 89 Palestinians, including 49 children. We now have figures for the month of January, during which at least 139 Palestinian-owned structures, including 59 residential structures, were destroyed by the Israeli authorities, most of them in Area C, with the remainder in East Jerusalem. That is the highest number of such demolitions in a single month in more than two years.

Planning efforts to benefit Palestinian communities in Area C continue. Unfortunately, none of the 32 plans submitted to Israeli authorities, some since June 2010, have yet been approved. We call upon the Government of Israel to facilitate tangible progress if community-based planning is to be adopted as a constructive approach for many of the Palestinians concerned.

Palestinian demonstrations continued to be organized against the barrier, which deviates from the Green Line in contravention of the advisory opinion of the International Court of Justice (see A/ES-10/273). Palestinians attempted to set up a number of encampments near the wall, to protest land confiscation, which were quickly dismantled by Israeli forces. A number of Palestinians were injured during demonstrations against the barrier, as well as in demonstrations in solidarity with prisoners on hunger strike, which I mentioned earlier. The Secretary-General stresses the importance for protests to remain

non-violent and for the right to peaceful protest to be fully respected.

With regard to Gaza, we are deeply troubled by today's rocket attack into Israel. There is no justification for such attacks, which not only target innocent civilians indiscriminately but which risk triggering a renewed spiral of violence that will only bring suffering to Palestinians and Israelis alike. We continue to condemn all indiscriminate rocket attacks from Gaza into Israel. We also urge Israel to demonstrate maximum restraint.

It is important for both sides to maintain their commitment to the ceasefire brokered in November 2012. It is the responsibility of the de facto authorities in the Gaza Strip to prevent any recurrence of today's attack. Until today's Palestinian rocket attack, this was the longest period without projectiles fired from Gaza in recent years. Both sides should work to consolidate the calm that prevailed before today. In the past month, Israeli forces conducted three incursions into Gaza, and a total of 14 Palestinian civilians were injured by Israeli fire, mostly while attempting to approach the border fence. On 21 February a Palestinian fishing boat was shot at by Israeli forces, resulting in injuries to a fisherman and damage to the boat.

It is essential that today's rocket attack not be repeated and not interrupt efforts to strengthen the understandings reached in November with the assistance of Egypt. The mechanism established in the Egyptian-brokered understanding is being implemented, and the Special Coordinator for the Middle East Peace Process remains engaged with concerned parties and the Egyptian mediation.

Israel continued to allow gravel for commercial use through the Kerem Shalom crossing. Israel has also allowed Palestinian farmers access up to 100 metres from the fence with Israel, and Palestinian fishermen have been able to access up to six nautical miles from shore. While such steps are welcome, we continue to advocate for a further extension of the fishing limit to 12 nautical miles, which is necessary for a significant increase in the catch of the fishermen, but still below the 20 nautical miles provided for in the 1995 Israeli-Palestinian Interim Agreement. We also call for unrestricted entry of all construction materials. Further measures to lift the closure should include transfers of goods between Gaza and West Bank, as well as exports to Israel and beyond.

To further advance this important agenda and address Israel's legitimate security interests, it is essential that parallel efforts continue to enforce the calm and prevent the smuggling of weapons into Gaza. There have been reports of Egyptian authorities closing large numbers of tunnels from the Sinai into Gaza. Separately, Egypt has permitted further entry of construction material through the Rafah crossing for a range of Qatar-funded projects.

I would like to reiterate that the full implementation of resolution 1860 (2009) includes the important step of overcoming the Palestinian political divide in ways that can advance the potential for a two-State solution. In that regard, the Palestinian Central Elections Commission was able to conduct voter registration from 11 to 20 February, in both the West Bank and Gaza, for the first time since 2007 — a result of the Cairo accord on reconciliation. A total of 450,000 new electors were registered, including 350,000 in Gaza, which represents a very high turnout. The updated Palestinian voter register should be available shortly. To that end, the United Nations encourages Israeli authorities to authorize the transfer of registration forms from Gaza to Ramallah.

Recent opinion polls suggest a popular demand for inclusion in a democratic process, including the holding of the long-overdue Palestinian general elections. Negotiations and ending the divide between the West Bank and Gaza under the leadership of President Abbas and adherence to Palestine Liberation Organization principles remain essential for achieving the two-State solution. The parties are expected to meet again soon in Cairo to commence consultations on Government formation. The United Nations remains of the view that negotiations and reconciliation is not an either/or proposition, and should be made compatible by advancing both in a mutually reinforcing way.

Turning to developments in the region, Syria continues to be a source of extreme concern for the United Nations. We are reminded every day of the heavy toll the civilians in Syria are paying. Citing the appalling number of civilian casualties, the Secretary-General strongly condemns the reported ballistic missile strikes in Aleppo as well as the series of bombings in Damascus. Let me repeat again the Secretary-General's call for the need to immediately end the supply of arms to both sides in this brutal conflict. Let me be clear: perpetrators of serious crimes will be held accountable.

There is no statute of limitations for war crimes and crimes against humanity.

In its latest report (A/HRC/22/59), published on 5 February, the independent international commission of inquiry of the Human Rights Council concluded that both Government and opposition forces had become increasingly violent and reckless with human life. Both have committed abuses amounting to war crimes, athough the scale of the abuses committed by the Government side significantly exceeds those of the opposition. Hospitals, bakeries and bread lines have been targeted. Whole neighbourhoods have been razed. Syria's rich cultural heritage is being destroyed.

As predicted, the war has also taken on sectarian overtones, permeated by opportunistic criminality and aggravated by the presence of foreign fighters and extremist groups, as well as by some actions of the Government, including its affiliated Shabbiha militia. This is simply an appalling picture. There should be no room in the future Syria for those who hold contempt for the beliefs, practices and symbols of other religious traditions, or who cite secularism as a pretext for trying to monopolize power predominantely in the hands of one group. There is no room for sectarianism or discrimination on any grounds. All communities must be assured that their rights will be respected.

Regrettably, the warring parties remain locked in a military logic that is bound to bring more death and destruction. In that context, the proposal for dialogue from Mr. Moaz Al-Khatib, President of the Syrian National Coalition, is a positive development. The Secretaries-General of the United Nations and the League of Arab States as well as the Joint Special Representative have welcomed this initiative. They called on all parties to engage, at the earliest, in talks based on the Geneva communiqué of 30 June 2012 (S/2012/523, annex), with a view to ensuring a political transition that would meet the legitimate aspirations of the Syrian people, preserve the unity, sovereignty, territorial integrity and independence of the Syrian nation, and bring to an end the bloodshed, the humanitarian disaster and the destruction in Syria. The Secretary-General is encouraged by statements from Security Council members supporting Mr. Al-Khatib's proposal.

The humanitarian situation is becoming worse in Syria, as Under-Secretary-General Valerie Amos's briefing to the Council tomorrow will make clear. She will provide more details on United Nations efforts to address the tragic humanitarian consequences of the conflict, which has left over 4 million people in need of humanitarian assistance, including 2 million internally displaced, and has led more than 900,000 people to flee to neighbouring countries, including 150,000 this month alone.

The situation in the Golan also remains precarious, posing risks to the ceasefire between Israel and Syria and the safety and security of civilians and United Nations personnel. In recent days, the Area of Separation saw a spike in such confrontations. Allow me to reiterate that the primary responsibility for the safety and security of United Nations personnel in the Area of Separation and the areas of limitation on the Bravo side rests with the Syrian Government. Countries with influence should also impress upon the armed members of the opposition the importance of ensuring the freedom of movement and the safety of the personnel of the United Nations Disengagement Observer Force in the occupied Golan.

Concern remains high about the ongoing impact of the Syrian conflict on Lebanon. While the overall situation in Lebanon remains stable, tensions have increased in the north-eastern border areas. On 1 February, an operation by the Lebanese Armed Forces (LAF) near Arsal resulted in the deaths of a man wanted for terrorism and of two LAF soldiers. On 16 and 22 February, there were again tensions in border areas as a result of cross-border shellings, the deaths of Hizbullah fighters and threats of escalation. On 24 February, further fighting along the border resulted in at least two Lebanese deaths, prompting President Sleiman publicly to react, stressing the need for continued commitment to Lebanon's disassociation policy and urging the Syrian side to refrain from shooting or firing missiles towards Lebanon's territory.

We are concerned at any actions that risk drawing Lebanon into the conflict in Syria. Continued reports of arms transfers to and through Lebanon are contrary to international obligations. We call on all sides to respect the integrity of the border and Lebanon's sovereignty, as well as on all Lebanese parties to honour their commitments under the Baabda Declaration of June 2012.

On 4 February, a Lebanese court issued arrest warrants for Syrian General Ali Mamlouk and an unnamed aide for their alleged involvement in a terrorist plot in Lebanon, along with former Minister Michel

Samaha. On 20 February, a judge issued indictments against all three suspects.

The situation along the Blue Line remained generally calm. However, there was an increase in the number of Israeli violations of Lebanese airspace, notably ahead of the air strike in Syria on 30 January. The Secretary-General called on all concerned to prevent tensions or escalations and to respect the territorial integrity and sovereignty of all countries in the region.

On 21 February, the Special Tribunal for Lebanon announced the postponement of the start of the trial provisionally scheduled for 25 March. A new tentative date is expected to be set soon. The eighth anniversary of the assassination of the late Rafik Hariri, on 14 February, underlines the need to achieve justice for past assassinations and attempted ones, including in the past year.

Meanwhile, consensus has not yet been reached on a draft law for the Lebanese parliamentary elections scheduled for June. Free, fair and credible elections in a timely fashion are important for Lebanon's stability and continued political advancement. All parties are therefore encouraged to work to ensure that elections take place on a consensual basis within the legal and constitutional timeframe.

In conclusion, let me emphasize that it is our strong belief that we need to inject new life in the Israeli-Palestinian political process now. We know that there are negative forces on both sides, such as those who fired today's rocket from Gaza into Israel, who draw strength from stalemate and paralysis. Both sides have a responsibility to marginalize those forces by creating the conditions, including trust, for a successful negotiating process. It is now my hope that the shared sense of frustration will translate into a shared sense of urgency. Given the lack of confidence that, unfortunately, characterizes the Israeli-Palestinian relationship today, we cannot underestimate how difficult it will be to develop a serious and substantial political initiative, with a realistic and not unlimited timeframe, and one that is collectively supported by all stakeholders.

But it is our view that one cannot expect progress this year without the articulation of a credible political framework to achieve the negotiated two-State solution that we all hope for and that will best serve the interests, rights and aspirations of Palestinians and Israelis alike. This is a time for renewed impetus and political will to end the conflict and the occupation, which has already scarred the lives of far too many Israelis and Palestinians for far too long. We need to act now, first and foremost for the sake of the younger generations. They deserve a future of peace.

The President: I thank Mr. Feltman for his briefing.

I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.40 a.m.